

**Subpart Q—National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers**

SOURCE: 59 FR 46350, Sept. 8, 1994, unless otherwise noted.

**§ 63.400 Applicability.**

(a) The provisions of this subpart apply to all new and existing industrial process cooling towers that are operated with chromium-based water treatment chemicals and are either major sources or are integral parts of facilities that are major sources as defined in § 63.401.

(b) Table 1 of this subpart specifies the provisions of subpart A that apply and those that do not apply to owners and operators of IPCT's subject to this subpart.

[59 FR 46350, Sept. 8, 1994, as amended at 71 FR 17738, Apr. 7, 2006]

**§ 63.401 Definitions.**

Terms used in this subpart are defined in the Act, in subpart A of this part, or in this section as follows:

*Chromium-based water treatment chemicals* means any combination of chemical substances containing chromium used to treat water.

*Commenced* means, with respect to construction or reconstruction of an IPCT, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

*Compliance date* means the date by which an affected IPCT is required to be in compliance with this subpart.

*Construction* means the on-site fabrication, erection, or installation of an IPCT.

*Cooling tower* means an open water recirculating device that uses fans or natural draft to draw or force ambient air through the device to cool warm water by direct contact.

*Effective date* means September 8, 1994, for this subpart.

*Existing IPCT* means any affected IPCT that is not a new IPCT.

*Industrial process cooling tower*, also written as "IPCT," means any cooling tower that is used to remove heat that is produced as an input or output of a chemical or industrial process(es), as well as any cooling tower that cools industrial processes in combination with any heating, ventilation, or air conditioning system.

*Initial startup* means the initiation of recirculation water flow within the cooling tower.

*Major source* means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants.

*New IPCT* means any affected IPCT the construction or reconstruction of which commenced after August 12, 1993.

*Owner or operator* means any person who owns, leases, operates, controls, or supervises an IPCT.

*Potential to emit* means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable.

*Reconstruction* means the replacement of components of an affected or a previously unaffected IPCT to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new IPCT.

*Responsible official* means one of the following:

(1) For a corporation: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or